

Regular Session, 2011

HOUSE CONCURRENT RESOLUTION NO. 126

BY REPRESENTATIVE WILLMOTT

WILLS/TESTAMENTS: Requests the Louisiana State Law Institute to study the use of translators in order to execute testaments

1 A CONCURRENT RESOLUTION

2 To urge and request the Louisiana State Law Institute to study and make specific
3 recommendations for legislation to establish procedures and forms for use when a
4 translator is required to draft and execute a testament.

5 WHEREAS, Louisiana law currently provides for two forms of testaments:
6 olographic and notarial; and

7 WHEREAS, Civil Code Articles 1577 through 1580.1 provide for different
8 procedures and forms for executing notarial testaments in order to accommodate testators
9 who are physically unable to sign, who are unable to read, who are able to read braille, and
10 who are deaf or deaf and blind; and

11 WHEREAS, over the past decade, there has been a significant increase in the
12 population of this state of persons who are unable to read or speak English; and

13 WHEREAS, there is no clear procedure or authority for the use of a translator in
14 drafting or executing a testament for a testator who does not read or speak English.

15 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
16 urge and request the Louisiana State Law Institute to study and make specific
17 recommendations for legislation to establish procedures and forms for use when a translator
18 is required to draft and execute a testament.

19 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
20 director of the Louisiana State Law Institute and that the Louisiana State Law Institute report

- 1 its findings and recommendations in the form of specific proposed legislation to the
- 2 Legislature of Louisiana on or before January 1, 2013

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Willmott

HCR No. 126

Requests the Louisiana State Law Institute to study and make specific recommendations for legislation to establish procedures and forms for use when a translator is required to draft and execute a testament.